

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

TYLER MILLER,

Plaintiff,

v.

STEVE WATSON,

Defendant.

Case No. 3:18-cv-00562-SB

ORDER OF DISMISSAL

BECKERMAN, U.S. Magistrate Judge.

Plaintiff Tyler Miller (“Miller”) filed this action against Defendant Steve Watson (“Watson”), asserting a whistleblower retaliation claim in violation of Oregon law.

On May 23, 2023, the Court issued an opinion noting “that continuing to exercise its supplemental jurisdiction over a single state law claim is no longer appropriate in this matter.”

Miller v. Watson, No. 3:18-cv-00562-SB, 2023 WL 3602791, at *11 (D. Or. May 23, 2023). The Court requested that “if either party objects to the Court’s dismissal of this action without prejudice to be refiled in state court, the party may file a written response by June 2, 2023, addressing why the Court should continue to exercise its supplemental jurisdiction.” *Id.* at *13.

Neither party filed a response by June 2, 2023, and counsel for both Miller and Watson

confirmed via email to the Court that they do not object to dismissal of this action without prejudice to Miller refiling his claim in state court.

For the reasons stated in the Court's May 23, 2023, opinion, the Court declines to continue to exercise supplemental jurisdiction over Miller's claim and the Court DISMISSES this action for lack of federal subject matter jurisdiction, without prejudice to refiling the dismissed claim in state court as provided by statute. *See* 28 U.S.C. § 1367(d); OR. REV. STAT. § 12.220.

IT IS SO ORDERED.

DATED this 6th day of June, 2023.



HON. STACIE F. BECKERMAN
United States Magistrate Judge